

Group V: Claims 31-41, drawn to a method of producing recombinant gelatin.

In view of the following remarks, Applicants respectfully request that the Examiner reconsider and withdraw the requirement for restriction at least between Groups I and V. The Examiner stated that Group I is drawn to "a composition, an agent or a product comprising gelatin . . ." and that Group V is drawn to "a method of producing recombinant gelatin comprising a step of providing recombinant collagen and a step of processing recombinant collagen." (Restriction Requirement, page 2.) Applicants note that, while claim 31 and dependent claims 32-34 relate to methods of producing recombinant gelatin that comprise providing recombinant collagen and procollagen, the methods of claim 35 and 38, and dependent claims 36, 37, and 39-41, include in their scope but are not limited to methods of production of recombinant gelatin that comprise providing recombinant collagen or procollagen.

Applicants submit that a search to identify art relevant to the subject matter of the claims of Group I would reveal art relevant to the subject matter of the claims of Group V, and that examination of the claims of these groups together would thus result in no serious burden to the Examiner. Specifically, Applicants request reconsideration and withdrawal of the restriction requirement as it applies to the claims of Groups I and V, claims 1-21 and 30-74. However, in order to comply with the provisions of 37 C.F.R. 1.143, Applicants hereby provisionally elect, with traverse, the invention corresponding to the claims of Group I, claims 1-21, 30, and 42-74. Applicants reserve without prejudice the right to pursue any non-elected subject matter in continuing applications.

The Examiner requested that, in the event that Group I is elected, Applicants "select one (1) peptide sequence by SEQ ID NO: in claims 21 and 30." (Restriction Requirement, page 2.) Applicants note that SEQ ID NO:18 is encompassed by SEQ ID NOs:19, 20, 21, 22, and 33, and thus submit that consideration of SEQ ID NOs:18, 19, 20, 21, 22, and 33 together would pose no serious burden to the Examiner. In the event that the Examiner chooses not to consider SEQ ID NOs:18, 19, 20, 21, 22, and 33 together, Applicants select SEQ ID NO:18, and reserve without prejudice the right to pursue the non-examined sequences in continuing applications. Applicants further note that SEQ ID NO:29 is encompassed by SEQ ID NOs:26, 27, and 28, and thus submit that consideration of SEQ ID NOs:26, 27, 28, and 29 together would pose no serious burden to

the Examiner. In the event that the Examiner chooses not to consider SEQ ID NOs:26, 27, 28, and 29 together, Applicants select SEQ ID NO:29 and reserve without prejudice the right to pursue the non-examined sequences in continuing application.

If there are any questions regarding the present communication or the above-referenced application, please call Applicants' Attorney at 650-866-7254.

Respectfully submitted,

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